



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

November 3, 2005

To: Supervisor Gloria Molina, Chair
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

SACRAMENTO UPDATE

Railroad Emissions

On Thursday, October 27, 2005, the California Air Resources Board (CARB) held a meeting in El Monte to consider public comment on the CARB/Railroad Statewide Agreement for a Particulate Emissions Reduction Program at California Railyards, entered into on June 24, 2005. The voluntary agreement between the CARB and the Union Pacific Railroad (UP) and Burlington Northern and Santa Fe Railway Company (BNSF) establishes a statewide program to reduce diesel particulate emissions from locomotives at the State's railyards, but includes a termination clause that allows the railroad companies to be released from individual elements of the Agreement if they are subject to new overlapping requirements via local or State actions.

Consistent with Board action of September 13, 2005 urging the CARB to rescind the Memorandum of Understanding (MOU) entered into with the UP and BNSF without any public comment or consideration, staff from my office testified at this meeting in opposition to the MOU and requested that it be rescinded, or at a minimum to remove the termination clause. The five-signature letter that your Board sent to the Interim Chair of the CARB was included in the record as well.

After nearly six hours of testimony from 74 witnesses, including several elected State and local representatives and air quality officials, the CARB deferred a formal decision to either ratify or rescind the Agreement, and determined that it would revisit this item at

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its January 26, 2006 meeting. The overwhelming majority of witnesses were in opposition to the Agreement. In the interim, the CARB directed staff to work with the participating railroads to clarify several provisions of the Agreement, including the circumstances under which participating railroads might be released from their obligations to implement the Agreement, how the Agreement affects the existing programs and enforcement practices of local agencies, and what limitation, if any, the Agreement might create for other agencies that seek to reduce air pollution associated with rail operations. The CARB emphasized the need for staff to continue and increase its efforts to work with community stakeholders and air districts in connection with railyard emissions. The Agreement remains in effect during this period.

We will continue to keep you advised.

DEJ:GK
MAL:JF:EW:hg/kg

Attachments

c: Executive Officer, Board of Supervisors
 County Counsel
 Local 660
 All Department Heads
 Legislative Strategist
 Coalition of County Unions
 California Contract Cities Association
 Independent Cities Association
 League of California Cities
 City Managers Associations
 Buddy Program Participants